

House File 2165 - Introduced

HOUSE FILE 2165

BY ANDERSON, McCONKEY,
MASCHER, KEARNS, STAED,
WOLFE, HANSON, OLSON,
HUNTER, FINKENAUER,
LENSING, BENNETT, GASKILL,
SMITH, STECKMAN, and HALL

A BILL FOR

1 An Act to require employers to provide reasonable
2 accommodations to employees based on pregnancy or childbirth
3 and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 216.6, subsection 2, Code 2016, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *f.* (1) An employer shall provide reasonable
4 accommodations to an employee based on medical conditions
5 related to the employee's pregnancy or childbirth if the
6 employee so requests with the advice of the employee's health
7 care provider.

8 (2) An employer shall not discriminate against an employee
9 due to the employee's need for reasonable accommodation for
10 a medical condition related to the employee's pregnancy or
11 childbirth. Actions constituting prohibited discrimination
12 under this subparagraph include but are not limited to
13 reassigning an employee to avoid making job modifications,
14 retaliating against an employee for requesting a reasonable
15 accommodation, and requiring an employee to take paid or unpaid
16 leave when a reasonable accommodation would allow the employee
17 to continue to work.

18 (3) For purposes of this lettered paragraph "*f*", "*reasonable*
19 *accommodations*" means actions which would permit an employee
20 with a medical condition relating to the employee's pregnancy
21 or childbirth to perform in a reasonable manner the activities
22 involved in the employee's specific occupation and include but
23 are not limited to the provision of an accessible worksite,
24 acquisition or modification of equipment, job restructuring,
25 and a modified work schedule. "*Reasonable accommodations*" does
26 not mean any action that would impose an undue hardship on the
27 business of the employer from whom the action is requested.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill requires an employer to provide reasonable
32 accommodations to an employee based on medical conditions
33 related to the employee's pregnancy or childbirth if the
34 employee requests reasonable accommodations with the advice
35 of the employee's health care provider. Penalty provisions

1 for discriminatory employment practices are made applicable
2 to a failure to provide such reasonable accommodations to an
3 employee.

4 The bill prohibits an employer from discriminating
5 against an employee due to the employee's need for reasonable
6 accommodation for a medical condition related to the employee's
7 pregnancy or childbirth. Actions constituting prohibited
8 discrimination under this provision include but are not limited
9 to reassigning an employee to avoid making job modifications,
10 retaliating against an employee for requesting a reasonable
11 accommodation, and requiring an employee to take paid or unpaid
12 leave when a reasonable accommodation would allow the employee
13 to continue to work.

14 The bill defines "reasonable accommodations" as actions
15 which would permit an employee with a medical condition
16 relating to the employee's pregnancy or childbirth to
17 perform in a reasonable manner the activities involved in
18 the employee's specific occupation and include but are not
19 limited to the provision of an accessible worksite, acquisition
20 or modification of equipment, job restructuring, and a
21 modified work schedule. The bill provides that "reasonable
22 accommodations" does not mean any action that would impose an
23 undue hardship on the business of the employer from whom the
24 action is requested.